

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

EMG TECHNOLOGY, LLC §
§
v. § **CIVIL ACTION NO. 6:12-CV-543**
§ **(CONSOLIDATED CASE)**
THE VANGUARD GROUP, INC. *et al.* §

STIPULATION FOR DISMISSAL

The Plaintiff, EMG Technology, LLC, and Defendant, The Vanguard Group, Inc., pursuant to Fed. R. Civ. P. 41(a)(2) and (c), and subject to the terms of the Settlement Agreement entered into by the parties, hereby move for an order dismissing all claims and counterclaims between them in this action WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

By: /s/Charles Ainsworth

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By: /s/ Timothy J. Carroll with permission

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3) on November 27, 2013.

/s/ Charley Ainsworth
Charley Ainsworth